

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 3, 2003

D040599 In re Brianna L., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D038550 People v. Casper

The convictions are affirmed. The sentence is reversed and the matter is remanded for resentencing.
CERTIFIED FOR PUBLICATION. McDonald, J., We Concur: Kremer, P.J., Huffman, J.

D039322 People v. Lopez

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D040642 In re Desiree T., a Juvenile

The order is affirmed. Kremer, P.J.; We Concur: Benke, J., Huffman, J.

D037220 Arya et al. v. Djekich et al.

The petition for rehearing is denied.

D041286 Provenzano et al. v. Superior Court of San Diego County/Robell et al.

The petition is denied.

D041266 In re McClelland on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 4, 2003

D040477 In Re Gizelle R., a Juvenile

The judgment is affirmed. McIntyre, J.; We Concur: McDonald, Acting P.J., McConnell, J.

D040129 In re the Marriage of Rivera

Order affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McIntyre, J.

D038979 People v. Washum

That part of the judgment imposing a five-year consecutive sentence pursuant to section 667, subdivision (a)(1) is reversed and the cause is remanded for trial on the issue of whether Washum suffered a prior serious felony conviction and for resentencing. In all other respects, the judgment is affirmed. Nares, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

D040289 Citizen Action Council v. Allied Markeing Group, Inc.

The order denying the motion to strike is affirmed. Costs on appeal are awarded to CAC. Huffman, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D038921 People v. Mostrong

The judgment is affirmed. McIntyre, J.; We Concur: Huffman, Acting P.J., Nares, J.

D040862 In re S.J., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: Nares, Acting P.J., McConnell, J.

D040576 In re Isaac R., et al., Juveniles

The judgments are affirmed. McIntyre, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

D040515 Allied Marketing Group, Inc. v. Superior Court of San Diego County/Citizen Action Council

The petition for writ of mandate is denied.

D041319 San Diego Family Law Attorneys v. Superior Court of San Diego County

The petition is denied.

D041333 In re McClelland on Habeas Corpus

The petition is denied.

D041351 Reichner et al. v. Superior Court of San Diego County/Maywood et al.

The petition is denied.

D041171 Krzykowski v. Workers' Compensation Appeals Board et al.

The petition for rehearing is denied.

D041331 In re Pelayo on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 4, 2003 (Continued)

D041332 In re Crowell on Habeas Corpus

The petition is denied.

D041327 In re Johnson on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 5, 2003

D041401 In re Jeremiah L. on Habeas Corpus

Let an order to show cause issue returnable before the Superior Court of the County of San Diego, Juvenile Division. The superior court is to conduct an evidentiary hearing, decide the writ and inform this court of its ruling within 90 days of this order.

D039264 In re the Marriage of Cruz

It is ordered that the opinion filed herein on January 15, 2003, be modified as follows:... There is no change in the judgment. Appellant's petition for rehearing is denied.

D040784 In re Carley E., a Juvenile

The order is affirmed. McConnell, J.; We Concur: Kremer, P.J., Huffman, J.

D038924 Duncan v. Otay Water District

That portion of the judgment awarding a setoff of the District's time-barred monthly sewer charges against Duncan's award for the repurchase of sewer connections is reversed, and the matter is remanded for a recalculation of damages. In all other respects, the judgment is affirmed. Each side is to bear its own costs on appeal. Nares, J., We Concur: Kremer P.J., Benke, J.

D039548 People v. Holt

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D040338 People v. Neri

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D035655 People v. Snow

It is ordered that the opinion filed on January 14, 2003, is modified. There is no change in judgment. The petition for rehearing is denied.

D041567 Amelotte v. Superior Court of San Diego County/Gonzalez et al.

The petition is denied.

D041349 Lobos v. Workers' Compensation Appeals Board and Apparel Supplies of California et al.

The petition is denied.

D040554 Salzberg v. Western Dental Services, Inc.

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The case is dismissed.

D037761 Elsner v. Uveges et al.

The petition for rehearing is denied.

D041350 People v. Xayasomloth

D041352 People v. Aphayavong

On the court's own motion, the above-entitled cases are consolidated. All future documents shall be filed under case number D041350.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 6, 2003

D040706 In re Matthew M. et al., Minors/Clifford S. v. Michael M.

The order is affirmed. Benke, J.; We Concur: McConnell, J.

D037850 People v. Aitken

The judgment is affirmed. Haller, J.; We Concur: Kremer, P.J., O'Rourke, J.

D037855 People v. Frazer

The case is remanded to the trial court with directions to strike the one-year enhancement for the second prior prison term under section 667.5, subdivision (b), and to send to the Department of Corrections a corrected abstract of judgment. In all other respects, the judgment is affirmed. Haller, J.

We Concur: Kremer, P.J., Benke, J.

D037346 Webber v. Holbrook et al.

The petition for rehearing is denied.

D039918 People v. Sanford

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed.

D041575 Beaner Jr. v. Superior Court of San Diego County/People

The petition is denied.

D041226 In re Salceda on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 7, 2003

D041182 Jeffrey L. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. McIntyre, J.; We Concur: Kremer, P.J., Haller, J.

D040913 In re Rachelle L., a Juvenile

The order is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Haller, J.

D040789 In re Jesus E., Jr., a Juvenile

The judgment is affirmed. Nares, J.; We Concur: Kremer, P.J., Huffman, J.

D038708 SLM Marketing, Inc. v. Neptune Marketing Technologies, Inc.

The judgment is modified by striking the trial court's award of \$14,990.07 in commissions relating to the second M2 contract and the award of interest and, as so modified, is affirmed. The matter is remanded for further proceedings on the amount of interest to be awarded. Thereafter, the trial court shall enter an amended judgment consistent with this opinion. Each party is to bear its own costs on appeal. McIntyre, J.; We Concur: Benke, Acting P.J., Haller, J.

D040179 People v. Saunders

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D040230 People v. Johnson

Judgment affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., McDonald, J.

D037761 Elsner v. Uveges et al.

The opinion filed January 13, 2003, is ordered certified for publication.

D040972 Taylor M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency et al.

The opinion filed January 14, 2003, is ordered certified for publication.

D038747 Holmes v. Schechter et al.

The judgment is reversed insofar as it awards attorney fees to Bonin and Phillips and is otherwise affirmed. On remand, the court may conduct further proceedings, if appropriate, for the purpose of apportioning fees in accordance with this opinion. The parties are to bear their own costs on appeal. McIntyre, J.; We Concur: Nares, Acting P.J., McConnell, J.

D039631 People v. Abdulhafeez

Judgment affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Haller, J.